

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MELISSA HALL

PLAINTIFF

VS.

NO. 3:16cv 604 TSL-RHW

**DR. CAREY WRIGHT, IN HER INDIVIDUAL CAPACITY,
JOHN DOES 1-4, AND THE
MISSISSIPPI DEPARTMENT OF EDUCATION**

DEFENDANTS

**COMPLAINT
(JURY TRIAL DEMANDED)**

1. Plaintiff, Melissa Hall, files this civil action for equitable relief and for damages for discrimination on the basis of my race, sex, and in violation of her rights secured by the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution and as enforced by Title VII of the Civil Rights Act of 1964, as amended, Title 42 U.S.C. §1981 and 42 U.S.C. §1983. The defendants subjected me to race and sex discrimination when they fired me from my position of business systems analyst and selected a white male for my job. The defendants claim they terminated me pursuant to Senate Bill No. 454. Though facially non-discriminatory, the defendants applied and implemented Senate Bill No. 454 in a manner that had a racially discriminatory impact on me and other African-Americans and women.

2. This court has jurisdiction over my claims pursuant to 28 U.S.C. §1331. Venue is proper under 42 U.S.C. §2000e-5(f)(3). The Plaintiff also invokes the pendent jurisdiction of this court to address all issues arising under state law.

II.

PARTIES

3. Plaintiff, Melissa Hall, is an adult African-American citizen of the United States, residing at 316 Gator Drive, Byram, MS 39272. Plaintiff brings this action within ninety (90) days of receiving Notice of Right to Sue. *See*, Exhibit A.

4. Defendant Dr. Carey Wright is the Superintendent of the Mississippi Department of Education. Dr. Wright is being sued in her individual capacity. Dr. Wright may be served wherever she may be found.

5. Defendant John Does 1-5 are individuals whose identities are unknown at this time. When the true identities of those individuals are found, Plaintiff will ask this Court to allow me to amend my Complaint and name those individuals as defendants in this lawsuit.

6. The Defendant Mississippi Department of Education is an arm of the State of Mississippi. The Mississippi Department of Education may be served with process of this Court by serving this Complaint and Summons on Jim Hood, Attorney General of the State of Mississippi.

III.

STATEMENT OF THE FACTS

7. On or about October 9, 2015, I, Melissa Hall, (hereinafter "Hall") was terminated from my position of business systems analyst by Dr. Carey Wright, the Superintendent of the Mississippi Department of Education.
8. Upon information and belief, I was qualified for the position of business system analyst contract when she was selected for termination. After I was terminated, a white male was selected to perform her duties.
9. The defendants told me I was being terminated pursuant to House Bill 454. Though facially non-discriminatory, House Bill 454 as applied by the Mississippi Department of Education is discriminatory and has impacted me and other African-Americans and women in a discriminatory matter.
10. While working at MDE, I worked in a racially and sexually hostile work environment that was created by J.P. Beaudoin, a white male. J.P. Beaudoin treated white males more favorably than he treated me. Upon information and belief, J.P. Beaudoin told Cerissa Neal, a white female, who also was fired by MDE that MDE needed to get rid of Amy Daniels, a white female, to prevent me from later claiming I was the victim of race discrimination.
11. After giving me a termination letter stating that I was being terminated pursuant to House Bill 454, the defendants claim in their response to my EEOC charge of discrimination that it had cause to terminate my employment. The defendants' purported non-discriminatory reason for terminating me is a pretext for race and sex discrimination.

IV.

RACE DISCRIMINATION

12. The Defendants violated my right to be free from race discrimination under Title VII, Title 42 U.S.C. § 1981 and the Fourteenth Amendment to the United States Constitution.

V.

SEX DISCRIMINATION

13. The Defendants violated my right to be free from sex discrimination under Title VII and the Fourteenth Amendment to the United States Constitution.

VI.

CLAIMS FOR RELIEF

WHEREFORE PREMISES CONSIDERED, Melissa Hall respectfully demands a trial by jury and pray for a Judgment against the Defendants as follows:

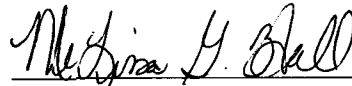
- a. Actual, compensatory and Incidental Damages in the amount to be determined by a jury for the embarrassment, humiliation, mental anguish and severe emotional distress, and loss of employment opportunities I suffered as a direct and proximate result of the conduct of the Defendants described hereinabove. Plaintiff also seeks also seeks back pay, including but not limited to front pay;
- b. Fringe benefits that have incurred since the defendant's discrimination;
- c. Compensatory damages in the form of reduced wage earning capacity, emotional pain, suffering, inconvenience, mental anguish and other non-pecuniary losses as permitted by Section(s) 102 (b) (3) of the Civil Rights Act of 1991;
- d. I also seek attorney's fees pursuant to Title 42 U.S.C. §§ 1988 and any and all costs associated with this lawsuit.

e. Defendant's actions set forth hereinabove constitute a willful wanton and reckless disregard for my right to be free from race and sex discrimination in employment. I also am entitled to recover liquidated and punitive damages pursuant to Title 42 U.S.C. §§ 1981a(b)(1) in an amount to be set by the tier of fact.

f. I also seek such other and further relief as the Court and Jury may deem just and proper under the circumstances as hereinabove set forth.

g. I also seek injunctive relief.

RESPECTFULLY SUBMITTED, this the 1st day of August 1, 2016.



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